

Customer No.: 31561  
Docket No.: 12810-US-PA  
Application No.: 10/711,282

### **REMARKS**

#### **Present Status of the Application**

Claims 1-13 are pending. The Office Action rejected all presently-pending claims 1-13. Specifically, the Office Action rejected claims 1-7 under 35 U.S.C. 103(a), as being unpatentable over Hibino et al. (U.S. Patent No 6,800,010). The Office Action rejected claims 8-13 under 35 U.S.C. 103(a), as being unpatentable over Shichao et al. (U.S. Patent No 6,800,010). Applicants respectfully traverse the rejections, and reconsideration of all presently-pending claims 1-13 is respectfully requested.

#### **Discussion of Office Action Rejections**

The Office Action rejected claims 1-7 under 35 U.S.C. 103(a), as being unpatentable over Hibino et al. (U.S. Patent No 6,800,010). Applicants respectfully traverse the rejections for at least the reasons set forth below.

Independent claim 1 recites the features as follows:

1. A cold cathode fluorescent flat lamp, comprising:  
a cavity shell;

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a plurality of spacers, disposed in the cavity shell, wherein a tolerance of a height of the spacers is larger than about 0.01 mm, or the tolerance of the height of the spacers is in a range of about 1/20 to about 1/4 of the height of the spacers;

a hardening paste, disposed between the cavity shell and the spacers;

at least an electrode set, disposed on the cavity shell;

a fluorescent substance, disposed on an inner wall of the cavity shell; and

a discharge gas, disposed in the cavity shell.

(emphasis added)

In re U.S. Patent No 6,800,010, Hibino et al. were silent to "the tolerance of a height of the spacers is larger than about 0.01 mm, or the tolerance of the height of the spacers is in a range of about 1/20 to about 1/4 of the height of the spacers". Applicant submits that one ordinary skilled in the art would "NOT" be motivated to construct Hibino's barrier ribs with a tolerance of about 0.01 mm, or in a range of about 1/20 to about 1/40 the height of the barrier ribs, since one ordinary skill in the art would "NOT" correlate an display panel with a cold cathode fluorescent flat lamp. In other words, one ordinary skilled in the art would "NOT" correlate a "display" with a "lamp" because the display has a plurality of displaying pixels for showing images and the cold cathode fluorescent flat lamp (CCFFL) has no pixel for showing images. Specifically, the display panel disclosed by Hibino et al. is a kind of display for showing static images or dynamic images while the cold cathode fluorescent flat lamp (CCFFL) is a kind

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of plane light source. One ordinary skilled in the art would "NOT" consider that displays and lamps belong to the same technical field.

The barrier ribs 18 disclosed by Hibino et al. is not equivalent to the spacers recited in claim 1 because the barrier ribs 18 used in the display panel have function of defining the position of the displaying pixels while the spacers do not have such function. In addition, Applicants submit that it is "NOT" well-known that the height tolerance of the spacers should be larger than about 0.01 mm, or the height tolerance of the spacers should be in a range of about 1/20 to about 1/4 of the height of the spacers. Applicants consider that there must be some reason for the selection of height tolerance of the spacers other than the hindsight gleaned from the invention.

The Office Action also rejected claims 8-13 under 35 U.S.C. 103(a), as being unpatentable over Shichao et al. (U.S. Patent No 6,800,010). Applicants respectfully traverse the rejections for at least the reasons set forth below.

Independent claim 8 recites the features as follows:

- 8. A cold cathode fluorescent flat lamp, comprising:
  - a cavity structure, comprising:
  - a cavity shell;

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a plurality of spacers, disposed in the cavity shell, wherein a tolerance of a height of the spacers is larger than about 0.01 mm, or the tolerance of the height of the spacers is in a range of about 1/20 to about 1/4 of the height of the spacers; and  
a hardening paste, disposed between the cavity shell and the spacer.

(emphasis added)

In re U.S. Patent No 6,800,010, Shichao et al. were silent to "the tolerance of a height of the spacers is larger than about 0.01 mm, or the tolerance of the height of the spacers is in a range of about 1/20 to about 1/4 of the height of the spacers". Applicant submits that one ordinary skilled in the art would "NOT" be motivated to construct Shichao's spacer with a tolerance of about 0.01 mm, or in a range of about 1/20 to about 1/40 the height of the spacers, since one ordinary skill in the art would "NOT" correlate an electric fluorescent display with a cold cathode fluorescent flat lamp. In other words, one ordinary skilled in the art would "NOT" correlate a "display" with a "lamp" because the display has a plurality of displaying pixels for showing images and the cold cathode fluorescent flat lamp (CCFFL) has no pixel for showing images. Specifically, the electric fluorescent display disclosed by Shichao et al. is a kind of display for showing static images or dynamic images while the cold cathode fluorescent flat lamp (CCFFL) is a kind of plane light source. One ordinary skilled in the art would "NOT" consider that electric fluorescent displays and lamps belong to the same technical field. Therefore, the

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content disclosed by Shichao et al. should not be applied to the CCFFL without further teaching or suggestion.

For at least the foregoing reasons, Applicant respectfully submits that all presently pending claims 1-13 patently define over the prior art references, and should be allowed.


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**CONCLUSION**

For at least the foregoing reasons, it is believed that the pending claims 1-13 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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